

## **U.S. Department of Justice**

United States Attorney Southern District of New York

The Silvio J. Mollo Building One Saint Andrew's Plaza New York, New York 10007

August 9, 2017

Via ECF
The Honorable Naomi Reice Buchwald
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street, Courtroom 21A
New York, New York 10007

Re: United States v. Leandro Bierd, 16 Cr. 748 (NRB)

Dear Judge Buchwald:

The Government submits this letter in advance of the defendant's sentencing, which is scheduled for August 16, 2017, at 2:45 p.m. The Government has no objections to: (i) the factual statements in the June 6, 2017 Presentence Investigation Report ("PSR"); (ii) the Guidelines analysis in the PSR, which results in a Guidelines range identical to the Stipulated Guidelines Range of 70 to 87 months in the parties' plea agreement; or (iii) the factual assertions in the defendant's August 2, 2017 Sentencing Memorandum. There is also no dispute that the defendant has identified meaningful mitigating considerations pertinent to the application of the Section 3553(a) factors at sentencing. The principal aggravating considerations at sentencing, from the perspective of the Government, are the nature and seriousness of the offense and the defendant's prior drug conviction.

Respectfully submitted,

JOON H. KIM Acting United States Attorney

By: /s/

Matthew Laroche Assistant United States Attorney (212) 637-2420

Julia L. Gatto, Esq. (via ECF)

Counsel for Leandro Bierd

cc: